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Notice of Allowability	Application No.	Applicant(s)	
	09/281,464	HORST ET AL.	
	Examiner	Art Unit	
	Phuong Phu	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 3/29/06.
2. ☒ The allowed claim(s) is/are 30-33, 43-47, 53-57, 59-65, 67-83, 85-99, 104-107, 110, 112-117, 119-124, 127, 130-133, 135, 137, 145-155 and 159-164.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

REASONS FOR ALLOWANCE

1. This Office Action is responsive to the Amendment filed on 3/29/06.
2. Claims 30-33, 43-47, 53-57, 59-65, 67-83, 85-99, 104-107, 110, 112-117, 119-124, 127, 130-133, 135, 137, 145-155 and 159-164 are allowed.
3. The following is an examiner's statement of reasons for allowance:

-Regarding to independent claims 30, 43, Kiriyama (5,729,210), previously cited, teaches the claimed invention except he fails at least to teach a message builder which constructs a message having a tag portion conveying data derived from the identifier of the slave controller and data derived from the identifier of the transmitter. In Kiriyama, the tag portion conveying only data derived from the slave controller. It would not have been obvious for one skilled in the art to implement Kiriyama in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claims 53, 61, 106, Kiriyama teaches the claimed invention except he fails at least to teach a procedure/device which compares the tag portion in the message with the identifier of the transmitter and the identifier of the slave controller in the data storage to determine whether the message is valid, and from thereto, generates control signals directed to the controller modules for causing the locomotive to perform the action. It would not have been obvious for one skilled in the art to implement Kiriyama in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claim 69, Kiriyama teaches the claimed invention except he fails at least to teach the transmitter which transmits a wireless signal over a wireless RF communication link to the slave controller for causing an action to be performed by the

locomotive wherein the wireless signal includes data derived from the identifier of the slave controller and data derived from the identifier of the transmitter, the identifier of the slave controller being different from the identifier of the transmitter. It would not have been obvious for one skilled in the art to implement Kiriyama in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claim 85, Kiriyama teaches the claimed invention except he fails at least to teach the transmitter, which transmits a wireless signal including data derived from the identifier of said transmitter over the first communication link, and the slave controller, which receives over the second communication link an identifier of said transmitter and outputs over the second communication link an identifier of the slave controller for transmission to said transmitter. It would not have been obvious for one skilled in the art to implement Kiriyama in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claim 104, Kiriyama teaches the claimed invention except he fails at least to teach procedures of outputting from the portable transmitter over the first communication link an identifier of the portable transmitter for transmission to the slave controller; and transmitting to the slave controller a wireless signal over the second communication link wherein the wireless signal includes a tag portion including data derived from the identifier of the portable transmitter and data derived from the identifier of the slave controller. It would not have been obvious for one skilled in the art to implement Kiriyama in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claim 107, Kiriyama teaches the claimed invention except he fails at least to teach a processing unit which acquires the first identifier from the slave controller

and transmitting the first identifier to the transmitter unit. In Kiriyaama, the processing unit assigns the first identifier and transmits the first identifier to the slave controller and the transmitter unit. It would not have been obvious for one skilled in the art to implement Kiriyaama in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claim 115, Kiriyaama teaches the claimed invention except he fails at least to teach procedures of transmitting the first identifier of the first component from the first component to the operator programming unit; transmitting the first identifier from the operator unit the second component; and generating an address at the second component on the basis of the first identifier of the first component and the second identifier of the second component, wherein the first identifier and the second identifier are different. It would not have been obvious for one skilled in the art to implement Kiriyaama in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claim 122, Kiriyaama teaches the claimed invention except he fails at least to teach the program element for causing procedures of acquiring the second identifier of the second component from the second component and transmitting the second identifier to the first component. In Kiriyaama, the program element cause the second identifier to be assigned and transmitted to both of the first component and the second component. It would not have been obvious for one skilled in the art to implement Kiriyaama in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claim 130, Kiriyaama teaches the claimed invention except he fails at least to teach the second component wherein the second component generates an address on the basis of the first identifier of the first component and the second identifier of the second

component. In Kiriya, the second component generates the address based only of the first identifier of the first component. It would not have been obvious for one skilled in the art to implement Kiriya in view of other prior art of record for leading such the implementation to the claimed invention.

-Regarding to independent claim 145, Kiriya teaches the claimed invention except he fails at least to teach the interface, wherein the interface transmits over a first communication link to the external entity data derived from the identifier of the transmitter, and the signal transmitting unit, wherein the signal transmitting unit transmits over a second communication link a modulated signal conveying the identifier of said transmitter. It would not have been obvious for one skilled in the art to implement Kiriya in view of other prior art of record for leading such the implementation to the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Phu whose telephone number is 571-272-3009. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuong Phu
Phuong Phu
05/31/06

PHUONG PHU
PRIMARY EXAMINER

Phuong Phu
Primary Examiner
Art Unit 2611